

12-28-01

12/21/01
J10122 U.S. PTO
UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
SU-7222-BTotal Pages in this Submission
105**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

MICROBIOLOGICAL CONTROL IN POULTRY PROCESSING

and invented by:

Jonathan N. Howarth

10/29/01
J10122 U.S. PTOIf a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:
 Continuation Divisional Continuation-in-part (CIP) of prior application No.: 09/893,581

Which is a:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below
2. Specification having 83 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Microfiche Appendix (*if applicable*)
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if drawings filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

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Application Elements (Continued)

3. Drawing(s) (when necessary as prescribed by 35 USC 113)
a. Formal Number of Sheets 10
b. Informal Number of Sheets _____

4. Oath or Declaration
a. Newly executed (original or copy) Unexecuted
b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
c. With Power of Attorney Without Power of Attorney
d. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5. Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.

6. Computer Program in Microfiche (Appendix)

7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
a. Paper Copy
b. Computer Readable Copy (identical to computer copy)
c. Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. Assignment Papers (cover sheet & document(s))

9. 37 CFR 3.73(B) Statement (when there is an assignee)

10. English Translation Document (if applicable)

11. Information Disclosure Statement/PTO-1449 Copies of IDS Citations

12. Preliminary Amendment

13. Acknowledgment postcard

14. Certificate of Mailing

First Class Express Mail (Specify Label No.): EF213099769US

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Accompanying Application Parts (Continued)

15. Certified Copy of Priority Document(s) (*If foreign priority is claimed*)

16. Additional Enclosures (*please identify below*):

Associate Power of Attorney - John F. Sieberth

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(I), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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RECEIVED
U.S. PATENT AND TRADEMARK OFFICE
JULY 1 2001

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	66	- 20 =	46	x \$18.00	\$828.00
Indep. Claims	5	- 3 =	2	x \$84.00	\$168.00
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>					\$280.00
<input type="checkbox"/>					BASIC FEE \$740.00
OTHER FEE (specify purpose) _____					\$0.00
					TOTAL FILING FEE \$2,016.00

A check in the amount of to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. 01-0659 as described below. A duplicate copy of this sheet is enclosed. (Order No. 01-242)

Charge the amount of \$2,016.00 as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).



Signature

PHILIP M. PIPPENGER

Reg. No.: 25,525

Dated: 12/21/01

CC:

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor **Jonathan N. Howarth**Title **Microbiological Control In Poultry Processing**Atty Docket Number **SU-7222-B**

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12/21/01

Date



Signature

Philip M. Pippenger Reg. No.: 25,525

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

12-28-01

PATENT
CASE: SU-7222-B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JONATHAN N. HOWARTH

SERIAL NO. ---

FILED: Herewith

FOR: MICROBIOLOGICAL CONTROL IN

POULTRY PROCESSING

DATE: December 21, 2001

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Sir:

CERTIFICATE UNDER 37 CFR 1.10 - EXPRESS MAIL

I hereby certify that the correspondence stapled hereto and identified below is being deposited by me with the United States Postal Service as EXPRESS MAIL in an envelope addressed to: Commissioner for Patents, Box Patent Application, Washington, D.C. 20231, on December 21, 2001. The number of the "Express Mail" mailing label placed thereon prior to mailing is EF213099769US.

Said correspondence consists of the following:

- (1) Five-Page Utility Patent Application Transmittal Letter (Large Entity);
- (2) One-Page Appointment of Associate Attorney (John F. Sieberth, Registration No. 17,704);
- (3) 93 - Page Patent Application (Specification, Claims; Abstract of the Disclosure; Ten Drawing Sheets).
- (4) Two-Page Executed Declaration, Power of Attorney and Petition by Inventor: Jonathan N. Howarth.
- (5) One-Page Request And Certification Under 35 U.S.C. 122(b) (2) (B) (i).
- (6) Three-Page Information Disclosure Statement Form PTO-1449 Modified with 50 documents listed and enclosed.

A return postcard is attached hereto



Gina R. Merritt
Dated: December 21, 2001

Telephone: (225) 388-7097